

Judicial Review Report to Court
February 15, 2016

Case Summary

Janet Morgan is a single, 30-year-old, Caucasian female. She has three biological children: Kerry Morgan, age 11; Layla Morgan, age 8; and Jessica Morgan, age 6. Kerry and Layla's father is Raymond Capa, age 33. Ms. Morgan and Mr. Capa were never married. Mr. Capa suffers from a mental illness and abuses alcohol and drugs. Mr. Capa has not been involved in his daughters' lives since 2008. He has provided child support when he is working. Jessica's father is Justin Rogers, age 35. In 2013, Mr. Rogers was sentenced to prison for dealing drugs. He is scheduled for release in 3½ years. Ms. Morgan and Mr. Rogers were never married. Mr. Rogers has been corresponding with Jessica via mail, under the review of the Department, for the past few months. Prior to that, he had not been involved in his daughter's life since his incarceration.

Ms. Morgan is estranged from her older sister and mother and appears to have no support system. Ms. Morgan denies a history of child abuse or domestic violence. She denies the use of drugs prior to a work accident that resulted in a back injury. Ms. Morgan receives disability and was receiving SNAP.

The Morgan family first came to the attention of the Department on April 2, 2015, for a report of child neglect. It was reported that Kerry, Layla, and Jessica Morgan attended school unkempt and hungry. The school recommended a developmental assessment for Layla 4 months prior to the date of the report, and Ms. Morgan had not followed through. Additionally, Layla suffers from a seizure disorder and was not taking her medication reliably. Ms. Morgan said she was using prescription medication to manage her back pain. The physical home environment was unsanitary and presented some environmental hazards, including exposed wiring. This report was substantiated for neglect, and Ms. Morgan agreed to voluntary in-home services. This intervention was largely successful, and the case was proceeding to closure at the time of a second report.

A second report was received in the evening of July 14, 2015. Law enforcement called the Department to request emergency response to the Morgan home. Two men were fighting in front of the home wielding knives and yelling. Kerry and Layla were in the front yard witnessing the altercation. Ms. Morgan was incoherent inside the home. Police found several bottles of oxycodone with prescription labels belonging to others and a small amount of a substance believed to be heroin. The Department substantiated physical neglect and took emergency custody of the three girls. Kerry, Layla, and Jessica Morgan were placed in foster care after determining the family friend specified in a previous safety plan was unable to provide care for the girls.

At the time that the children entered foster care, Ms. Morgan was arrested for possession of drug paraphernalia and child endangerment. She was released on bond. She failed to attend her criminal court hearing, and a warrant was issued for her arrest. Ms. Morgan absconded from the area and did not provide the Department with contact information.

Ms. Morgan contacted the Department on December 1, 2015. She said she was picked up on the bench warrant and sentenced to an inpatient treatment facility for assessment and treatment. She was currently at the facility and requesting to see her children. The Department learned that, if Ms. Morgan does not successfully complete the program, she will have to serve a 12-month sentence. The Department arranged to transport the children to the treatment facility for weekly supervised visitation. Ms. Morgan is scheduled for release at the end of February 2016.

The Department was able to locate Mr. Capa and first spoke with him on November 9, 2015. Mr. Capa resides at Taylor Halfway House. He had recently completed treatment for substance abuse. He has had a number of unsuccessful attempts at treatment. He said that he wanted to have a relationship with his daughters but did not feel that he was in a position to work toward having full-time parenting. The Department scheduled supervised therapeutic visitation between Mr. Capa, Kerry, and Layla to assist Mr. Capa in having a relationship with his daughters. Dr. Peilter, clinical director of Supporting Healthy Families, supervised and provided therapeutic support for the visits. After two visits, Dr. Peilter recommended to suspend visitation given the effect it was having on the children and to allow more time for her to prepare them. The Department scheduled a psychological and substance abuse assessment for Mr. Capa. Mr. Capa completed the assessment on November 23, 2015.

Justin Rogers continues to be incarcerated. Despite the Department and Mr. Rogers' efforts, the Department has not been able to get written reports from Mock State Correctional Facility. Mr. Rogers' case manager reports that Mr. Rogers is a model inmate and actively involved in the fathers parenting group at the facility. There is no indication that Mr. Rogers has a substance abuse issue. The Department has continued to support Mr. Rogers' relationship with Jessica through written correspondence. In addition, the Department has been forwarding copies of Jessica's report cards to Mr. Rogers.

Reason(s) for Continued Removal From Home:

The children were removed on an emergency basis as there was no parent available to execute their parental responsibilities. Neither Ms. Morgan nor Mr. Capa are in a position where they can assume full-time parenting responsibilities for the children as they are addressing substance abuse and/or mental health issues. Neither parent has a safe and stable living environment that could accommodate children. Mr. Rogers continues to be incarcerated.

Children's Perception of Situation:

Kerry, Layla, and Jessica were all excited that their mother was found. The children, given their developmental level, have each been able to discuss their understanding of their mother's need for help. Kerry Morgan has recently been expressing her anger at her mother and not trusting that her mother will follow up with her treatment needs. Both Kerry and Layla Morgan expressed relief at not having to continue visitation with Mr. Capa. Layla Morgan has been more receptive to the idea of re-establishing a relationship with her father but wanted reassurances that she would not have to live with him. Jessica Morgan looks forward to receiving letters from her father and especially enjoyed the recording he sent her for Christmas.

Child(ren) Information

Physical Health

Kerry, Layla, and Jessica Morgan are all in good general health. The children are up to date on their immunizations. The children have no unmet physical health, including vision and dental,

needs at this time. Layla Morgan is consistently taking her seizure medication. Administration is being monitored by the Department through the foster parents.

Mental/Behavioral Health

Kerry, Layla, and Jessica Morgan continue in weekly family therapy sessions. Layla Morgan's behavior has continued to improve.

Education

Children are performing well in school, and all are at grade level. Layla Morgan is receiving special education services through the school. An IEP was held for Layla in October 2015.

Social/Emotional Development

Kerry and Jessica Morgan appear to be developmentally on target. The children have been described as outgoing, and each has made new friends at school. Layla Morgan was assessed to be delayed in her social development. Supporting Healthy Families' behavior management specialist continues to work with Layla to improve her skills. She has made friends at her new school. By reports, the teasing and bullying she experienced at her previous school is not occurring at her new school.

Placement

Relative as Placement Resource

The Department submitted a request for an ICPC home study for Patricia Peppers, maternal aunt, in October 2015. The Department contacted paternal grandmother, Gloria Capa, and paternal aunt, Autumn Sumpter, to explore for possible placement. Neither Ms. Capa nor Ms. Sumpter felt that they were in the position to provide care for the children. The Department contacted Justin Rogers' mother, Lilly Rogers. She said she was not able to provide care for the children, and the other family members would only be interested in care for Jessica and not her siblings.

Description of Current Placement

Placement Type and Description:

Kerry and Jessica Morgan are placed in the licensed family foster home of Helen and Mary Valencia. The placement provides the least restrictive placement option. The foster care placement is considered stable. Layla Morgan is placed with Lupe and Josh Shanihan. The placement is a therapeutic foster care placement to address Layla's behavioral challenges.

Needs of Foster Parents:

The foster parents have been provided with known background information on Kerry, Layla, and Jessica Morgan. They have also been provided with Medicaid cards to secure health care services for the girls and with the name of their primary care provider. Foster parents will receive monthly foster care maintenance. Layla Morgan's foster parents also receive support services through Supporting Healthy Families, which includes an in-home, behavior management specialist.

Visitation

Ms. Morgan is currently participating in supervised visitation at Live Again Substance Abuse Treatment Facility. Visitation between Mr. Capa and Kerry and

Layla has been suspended. As Mr. Rogers is incarcerated, there is no face-to-face visitation between Mr. Rogers and his daughter. Mr. Rogers has been writing to Jessica. Jessica appears to enjoy the letters and draws Mr. Rogers cards and pictures.

Safety and Risk Assessment

Safety threats include:

- No adult in the home is performing basic parenting duties and responsibilities that assure child safety.
- One or both parents/caregivers will not/cannot control their behavior.
- The family does not have or use resources necessary to assure child's safety.
- One or both parents/caregivers lack parenting knowledge, skills, or motivation necessary to assure a child's safety.
- Living arrangements seriously endanger a child's physical health.

Risk level: Very High

Permanency Plan

Reunification and Adoption

Signatures		
Foster Care Worker: Brook Tillman	<i>Brooke Tillman</i>	Date: 2/11/2016
Foster Care Supervisor: Robin White	<i>Robin White</i>	Date: 2/11/2016

